

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE: JOHNSON & JOHNSON TALCUM
POWER PRODUCTS MARKETING, SALES
PRACTICES, AND PRODUCTS LIABILITY
LITIGATION

MDL No. 16–2738 (MAS) (RLS)

**DECLARATION OF SUSAN M. SHARKO IN SUPPORT OF
DEFENDANT JOHNSON & JOHNSON’S OPPOSITION TO PLAINTIFFS’
STEERING COMMITTEE’S MOTION FOR PROTECTIVE ORDER
REGARDING SUBPOENA DIRECTED AT NORTHWELL HEALTH, INC.**

I, Susan M. Sharko, declare as follows:

I am an attorney of the state of New Jersey and a partner with the law firm Faegre Drinker Biddle & Reath LLP, counsel for Defendant Johnson & Johnson in the above-captioned matter. The facts stated in this Declaration are true of my own personal knowledge. I submit this Declaration in Support of Defendant Johnson & Johnson’s Opposition To Plaintiffs’ Steering Committee’s Motion For A Protective Order Regarding The Subpoena Directed At Northwell Health, Inc.

1. Attached hereto as **Exhibit 1** is a true and correct copy of an article written by Dr. Jaqueline Moline titled *Mesothelioma Associated with the Use of Cosmetic Talc*.

2. Attached hereto as **Exhibit 2** is a true and correct copy of Dr. Jacqueline Moline's Expert Report in *Kohr v. Brenntag North America, Inc., et al.*

3. Attached hereto as **Exhibit 3** is a true and correct copy of an article written by Dr. Jaqueline Moline titled *Exposure to cosmetic talc and mesothelioma*.

4. Attached hereto as **Exhibit 4** is a true and correct copy of an excerpted transcript of trial proceedings on March 13, 2019 in *Blinkinsop v. Albertson's Companies, Inc., et al.*, No. BC677764, JCCP No. 4674 (Super. Ct. Ca., L.A. Cnty.).

5. Attached hereto as **Exhibit 5** is a true and correct copy of an excerpt of Dr. Jacqueline Moline's deposition on February 21, 2018 in *Teuscher v. Brenntag North America, Inc., et al.* No. MID-L-0932-17 (N.J. Super. Ct., Middlesex Cnty.) and *Etheridge v. Brenntag North America, Inc., et al.* No. MID-L-7249-16 (N.J. Super. Ct., Middlesex Cnty.).

6. Attached hereto as **Exhibit 6** is a true and correct copy of an excerpt of Dr. Jacqueline Moline's deposition on January 30, 2019 in *Young v. Johnson & Johnson, et al.*, No. 1522-CC09728-02 (Mo. Cir. Ct., 22d Jud. Cir., St. Louis City).

7. Attached hereto as **Exhibit 7** is a true and correct copy of an excerpt of Dr. Jacqueline Moline's deposition on September 14, 2018 in *Allen v. Brenntag North America, Inc., et al.*, No. DR180132 (Super. Ct. Ca., Humboldt Cnty.).

8. Attached hereto as **Exhibit 8** is a true and correct copy of an excerpt of Dr. Jacqueline Moline's deposition on February 26, 2020 in *Zimmerman v. Autozone Inc., et al.*, No. BC720153, JCCP No. 4674 (Super. Ct. Ca., L.A. Cnty.).

9. Attached hereto as **Exhibit 9** is a true and correct copy of Orders in *Hayes v. Colgate-Palmolive Co., et al.*, No. 16-CI-003503 (Jefferson Cir. Ct., Ky.) (excerpted); *Lanzo v. Cyprus Amax Minerals Co., et al.*, No. MID-L-7385-16 AS (N.J. Super. Ct, Middlesex Cty), *Olson et al. v. Brenntag North America, Inc., et al.*, No. 190328/2017 (Super. Ct. N.Y., N.Y. Cnty.) (excerpted); *Pipes v. Johnson & Johnson, et al.*, No. CJ-2017-3487 (Dist. Ct., Okla. Cnty., Okla.); *Weirick v. Brenntag N. Am., Inc.*, No. BC656425 (Super. Ct. Ca., L.A. Cnty.) (excerpted).

10. Attached hereto as **Exhibit 10** is a true and correct copy of an excerpted transcript of trial proceedings on October 26, 2017 in *Herford v. AT&T Corp., et al.*, No. BC646315, JCCP No. 4674 (Super. Ct. Ca., L.A. Cnty.).

11. Attached hereto as **Exhibit 11** is a true and correct copy of Appendix 3 to *Mesothelioma Associated with the Use of Cosmetic Talc* (incorrectly identified as Appendix 2), available at <http://links.lww.com/JOM/A651>. The link to the document is identified on page 12 of *Mesothelioma Associated with the Use of Cosmetic Talc*. See Ex. 1 at 12.

12. Attached hereto as **Exhibit 12** is a true and correct copy of Dr. Jacqueline Moline's *Response to the Letter to the Editor From Jeffrey Brent, MD, PhD Re: Mesothelioma Associated With the Use of Cosmetic Talc*.

13. Attached hereto as **Exhibit 13** is a true and correct copy of Dr. Jacqueline Moline's Expert Report in *Lanzo v. Cyprus Amax Minerals Company, et al.*, No. MID-L-7385-16 AS (N.J. Super. Ct, Middlesex Cty).

14. Attached hereto as **Exhibit 14** is a true and correct copy of Dr. Ronald E. Gordon's Expert Report in *Lanzo v. Cyprus Amax Minerals Company, et al.*, No. MID-L-7385-16 AS (N.J. Super. Ct, Middlesex Cty).

15. Attached hereto as **Exhibit 15** is a true and correct copy of count sheets to an Expert Report of Mr. Lee Poye in *Lanzo v. Cyprus Amax Minerals Company, et al.*, No. MID-L-7385-16 AS (N.J. Super. Ct, Middlesex Cty).

16. Attached hereto as **Exhibit 16** is a true and correct copy of an excerpted Expert Report of Matthew Sanchez, Ph.D. in *Lanzo v. Cyprus Amax Minerals Company*, No. MID-L-7385-16 AS (N.J. Super. Ct, Middlesex Cty).

17. Attached hereto as **Exhibit 17** is a true and correct copy of an excerpted transcript of trial proceedings in *Lanzo v. Cyprus Amax Minerals Company, et al.*, No. MID-7385-16AS (N.J. Super. Ct., Middlesex Cnty.).

18. Attached hereto as **Exhibit 18** is a true and correct copy of certain Abatement Records obtained in *Lanzo v. Cyprus Amax Minerals Company, et al.* , No. MID-7385-16AS (N.J. Super. Ct., Middlesex Cnty.).

19. Attached hereto as **Exhibit 19** is a true and correct copy of a medical record of Stephen Lanzo in *Lanzo v. Cyprus Amax Minerals Company, et al.* , No. MID-7385-16AS (N.J. Super. Ct., Middlesex Cnty.).

20. Attached hereto as **Exhibit 20** is a true and correct copy of an excerpt of Dr. Jacqueline Moline's Expert Report in *Jackson v. Colgate-Palmolive Co.*

21. Attached hereto as **Exhibit 21** is a true and correct copy of Dr. Jacqueline Moline's Expert Report in *Dalis v. Brenntag North America, Inc., et al.*

22. Attached hereto as **Exhibit 22** is a true and correct copy of a Bankruptcy Trust Claim, Claim Detail Report and Claim Information Report for Valerie Dalis.

23. Attached hereto as **Exhibit 23** is a true and correct copy of an excerpt of Valerie Dalis's deposition on September 15, 2015 in *Dalis v. Brenntag North America, Inc., et al.*

24. Attached hereto as **Exhibit 24** is a true and correct copy of an excerpt of Nicholas Dalis's deposition on December 22, 2015 in *Dalis v. Brenntag North America, Inc., et al.*

25. Attached hereto as **Exhibit 25** is a true and correct copy of Dr. Jacqueline Moline's Expert Report in *Rimondi v. BASF Catalysts LLC, et al.*, No. MID-2912-17AS (N.J. Super. Ct., Middlesex Cnty).

26. Attached hereto as **Exhibit 26** is a true and correct copy of an excerpted transcript of trial proceedings on March 20, 2019 in *Rimondi v. BASF Catalysts LLC, et al.*, No. MID-2912-17AS (N.J. Super. Ct., Middlesex Cnty).

27. Attached hereto as **Exhibit 27** is a true and correct copy of a transcript of trial proceedings on March 27, 2019 in *Rimondi v. BASF Catalysts LLC, et al.*, No. MID-2912-17AS (N.J. Super. Ct., Middlesex Cnty).

28. Attached hereto as **Exhibit 28** is a true and correct copy of Dr. Mark Rigler's Reliance List.

29. Attached hereto as **Exhibit 29** is a true and correct copy of Dr. Laura M. Plunkett's Second Amended Expert Report.

30. Attached hereto as **Exhibit 30** is a true and correct copy of Dr. Sonal Singh's Supplemental Expert Report.

31. Attached hereto as **Exhibit 31** is a true and correct copy of a Redacted Key listing the names of individuals referenced in Dr. Jacqueline Moline's article titled *Mesothelioma Associated with the Use of Cosmetic Talc*.

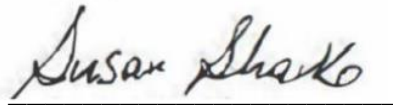
32. Attached hereto as **Exhibit 32** is a true and correct copy of an excerpted transcript of trial proceedings on October 6, 2021 in *Johnson v. Johnson & Johnson, et al.*, JCCP No. 4674/20STCV17335 (Super. Ct. Ca., L.A. Cnty.).

33. Attached hereto as **Exhibit 33** is a true and correct copy of an excerpt of Dr. Jacqueline Moline's deposition in *Wiman v. Triangle Enterprises, et al.*, No. 18-CI-0081 (Graves Cir. Ct., Division 1, Commonwealth of Ky.).

34. Attached hereto as **Exhibit 34** is a true and correct copy of Dr. Laura M. Plunkett's first Amended Expert Report.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: January 22, 2024

A handwritten signature in dark ink, reading "Susan Sharko", is written over a horizontal line.

Susan M. Sharko